



OHMVR COMMISSION MEETING Costa Mesa, CA

September 20, 2013

STAFF REPORT: Grants and Cooperative Agreement Program (Grants Program) Regulations

STAFF: Noelle Nichols, Grants Administrator

SUBJECT: Proposed Regulation Change Update

Summary

Update on proposed revisions to the Grants Program regulations.

Discussion

The OHMVR Division has proposed changes to the regulations governing the Grants Program. Regulatory changes are subject to the Administrative Procedures Act (APA) and are reviewed by the Office of Administrative Law (OAL).

The proposed revisions address the following issues:

- Require at least ten percent of the Operation and Maintenance (O&M) funding be awarded to development, planning and acquisition projects. This changes the existing regulations where up to 10 percent may be used for each of the development, planning, and acquisition subcategories.
- Provide an avenue for the State to recoup funds if grant-funded development projects are not available for long-term OHV recreation. The regulations would allow the OHMVR Division to potentially recoup funding if the development project is not available for recreational use for at least 25 years.
- Update and improve the Habitat Management Program instructions.
- Revise and/or clarify numerous evaluation criteria used to score projects.

The regulatory process officially started on June 21, 2013, when the Notice of Proposed Rulemaking was published in the California Regulatory Notice Register. Interested parties were invited to submit comments to the OHMVR Division through August 5, 2013. A public hearing was also held at the OHMVR Division Headquarters on August 6, 2013.

Comments on the proposed regulations were received from eight individuals. Commenters included members of the general public and current grantees.

After considering the comments, the OHMVR Division modified the proposed changes. In accordance with the APA, these modifications were available for public review for an additional 15 days from August 23, 2013, through September 9, 2013.

A second revision was made to the proposed regulations, necessitating another 15-day public review period. The second modifications were available for public review from September 7, 2013, through September 23, 2013.

The OHMVR Division anticipates the revisions to the Grants Program regulations will be approved and in effect by the start of the next Grants cycle in January 2014.

Commission Action

For information only